

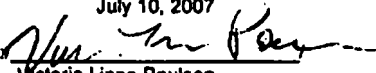
7-10-07

PATENT  
Attorney Docket No. 067461-5041US06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of  
**DAHIYAT et al.**  
Application No. 10/665,307  
Filed: September 18, 2003  
For: Protein Design Automation  
for Protein Libraries

Examiner: DEJONG, Eric S.  
Art Unit: 1631 Conf. No.: 6927  
CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R.  
1.6(a)(4)  
I hereby certify that this correspondence, including listed enclosures, is  
being electronically transmitted in Portable Document Form (PDF)  
through EFS-Web via Hyper Text Transfer Protocol to the United States  
Patent and Trademark Office on:

Dated: July 10, 2007  
Signed:   
Victoria Linne Poulsen

**REQUEST FOR REFUND OF OVERPAYMENT OF FEES**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants herewith request a refund of \$195.00 for overpayment of fees for a  
Statutory Disclaimer filed on July 9, 2007 to be credited to Deposit Account No. 50-0310  
067461-5041-US06.) Applicants submitted a Statutory Disclaimer via EFS Webfiling as Small  
Entity applicants on July 9, 2007; however, due to technical difficulties with the field codes on  
the fee calculation worksheet, Applicants were charged the Statutory Disclaimer fees for a  
Large Entity application in error.

A copy of Applicants Fee Calculation Worksheet and correspondence with the  
Electronic Business Center acknowledging the error is attached to this request for refund in  
support of Applicants request.

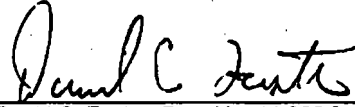
Although the Applicants do not believe any additional fees are required, the  
Commissioner is authorized to charge any additional fees, including extension fees or other  
relief, which may be required, or credit any overpayment to Deposit Account No. 50-0310  
(Our order no. 067461-5041-US06 /67229-13/RMS).

The undersigned is an attorney or agent of record.

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 10, 2007

By:



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David C. Foster, Reg. No. 44,685 for  
Robin M. Silva, Reg. No. 38,304  
Attorney of Record for Applicant  
Filed Under 37 C.F.R. 1.34

1-SF/7573528.1

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10665307			
<b>Filing Date:</b>	18-Sep-2003			
<b>Title of Invention:</b>	Protein design automation for protein libraries			
<b>First Named Inventor/Applicant Name:</b>	Bassil I. Dahlyat			
<b>Filer:</b>	Robin M. Silva/Victoria Poulsen			
<b>Attorney Docket Number:</b>	67461-5041-US06			
Filed as Small Entity				
<b>Utility Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Statutory disclaimer	1814	3	130	390
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				390



ebc@uspto.gov  
07/09/2007 06:17 PM

To vpoulsen@morganlewis.com  
cc  
bcc  
Subject RE: Terminal Disclaimer Fee US Appln. Serial No.  
10/665,307

Good Evening

We are currently experiencing problems with some of the fields in EFS due to the upgrade, uspto is currently working on the problem to resolve some of the issues. If you have been over charged for your filing please submit a refund for the over charged amount. We apologize for the inconvenience and we are working to have EFS web corrected and fully operational .

Jpw  
ECB

[THREAD ID:1-1HKJYT]

-----Original Message-----

From: vpoulsen@morganlewis.com  
Sent: 7/9/2007 07:03:02 PM  
To: EBC@uspto.gov  
Subject: Terminal Disclaimer Fee US Appln. Serial No. 10/665,307

Why am I being charged the Large entity fee for terminal disclaimer even though I elected Small Entity on my fee calculation sheet and my client is a small entity client?

I just filed a terminal disclaimer document that had three disclaimers, and I should only have been charged 195.00 but every time I clicked on the small entity button, I was not given the small entity fee option.

Is this a flaw with the EFS web filing fee calculation sheet, and will I have to request a refund of overpayment of fees everytime this happens?

1814/2814 1.20(d) Statutory disclaimer 130.00 65.00

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## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10665307
<b>Filing Date:</b>	18-Sep-2003
<b>Title of Invention:</b>	Protein design automation for protein libraries
<b>First Named Inventor/Applicant Name:</b>	Bassil I. Dahiyat
<b>Filer:</b>	Robin M. Silva/Victoria Poulsen
<b>Attorney Docket Number:</b>	67461-5041-US06

Filed as Small Entity

### Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Statutory disclaimer	1814	130	195.00	390

07/19/2007 SDIRETAE 00000002 500310 10665307

01 FC:2014

Adjustment date: 07/19/2007 SDIRETAE  
 07/10/2007 INTEFSW 00003298 500310 10665307  
 01 FC:1814 390.00 CR

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>390</b>